

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MITCHELL ZANE LITTLELIGHT,

Defendant.

CR 20–19–BLG–DLC

ORDER

Before the Court is United States Magistrate Judge Timothy J. Cavan’s Findings & Recommendations Regarding Revocation of Supervised Release. (Doc. 75.) Because neither party objected, they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan found, based on Mr. Littlelight’s admissions at the hearing, that he violated two conditions of supervised release: the special condition that he

abstain from the consumption of alcohol (Spec. Cond. 3) and the mandatory condition that he not commit another federal, state, or local crime (Mand. Cond. 1). (Doc. 75 at 8.)

Judge Cavan recommends that this Court revoke Mr. Littlelight's supervised release and sentence him to a custodial sentence of thirteen (13) months imprisonment, followed by no term of supervised release. (*Id.*) Judge Cavan also recommends that this Court order Mr. Littlelight's sentence run concurrent with the sentence imposed by the Montana Thirteenth Judicial District Court in *State v. Littlelight*, No. DC-19-1262 (Mont. Dist. Ct. Nov. 28, 2023). (*Id.*) Finally, Judge Cavan recommends that Mr. Littlelight be placed at FCI Sheridan. (*Id.*) The Court finds no clear error in Judge Cavan's Findings and Recommendations and adopts them in full.

Accordingly, IT IS ORDERED that Judge Cavan's Findings and Recommendations (Doc. 75) is ADOPTED in full.

Mr. Littlelight shall be sentenced in conformity with Judge Cavan's recommendation in the judgment filed concurrently with this Order.

DATED this 4th day of January, 2024.



Dana L. Christensen, District Judge
United States District Court